

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

GREGORY COLBURN et al.,

Defendants.

No. 1:19-cr-10080-NMG

**DEFENDANTS' PARTIALLY-ASSENTED-TO MOTION FOR
LEAVE TO FILE SEALED SUR-REPLY BRIEF REGARDING
PAT HADEN'S MOTION TO INTERVENE AND QUASH TRIAL SUBPOENA**

Pat Haden is moving to quash the trial subpoena seeking his testimony from Defendants Gamal Abdelaziz and John Wilson. In his reply brief supporting his Motion to Intervene and Quash Trial Subpoena, Haden has distorted the facts, mischaracterized the testimony that Defendants seek, refused to acknowledge solutions Defendants have proposed, and muddled the issues. Defendants therefore respectfully move for leave to file a short sur-reply brief correcting a small number of Haden's misstatements and clarifying Defendants' position.

Defendants also seek leave to file the sur-reply under seal, as it would include sensitive, confidential, and personally identifiable information. Accordingly, under Local Rule 7.2, Defendants ask that the Court grant leave to file under seal: (a) their sur-reply brief in response to Haden's reply brief supporting his Motion to Intervene and Quash Subpoena; and (b) the exhibits thereto. Defendants will provide the government and Haden's counsel with unredacted copies of their sur-reply brief and exhibits and will file a redacted version of the sur-reply brief in the public record.

A redacted version of Defendants' proposed sur-reply brief is attached hereto.

Haden does not assent to Defendants filing a sur-reply, but should this Court grant Defendants leave to file, Haden does assent to the filing being under seal.

Respectfully submitted,

Date: September 1, 2021

By their counsel

/s/ Michael Kendall

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 7.1 AND 112.1

The undersigned counsel hereby certifies that counsel for Defendants have conferred with counsel for Mr. Haden and attempted in good faith to resolve or narrow the issues raised by this motion. Mr. Haden assents, in part, to the relief requested.

/s/ Michael Kendall

Michael Kendall

CERTIFICATE OF SERVICE

I hereby certify that the above document is being filed on the date appearing in the header through the ECF system, which will send true copies to the attorneys of record.

/s/ Michael Kendall

Michael Kendall